REMARKS

Claims 28 and 31 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over

Shu et al., U.S. Patent No. 5,928,350 (Shu). Claims 33 and 39 are rejected under 35 U.S.C.

102(b) as being clearly anticipated by Getzlaff et al., IBM Technical Disclosure Bulletin, Vol.

38, No. 5, May 1995. Claims 29 and 32 stand rejected under 35 U.S.C. § 103 as being

unpatentable over Shu as applied to claim 28, supra., in view of Smith, U.S. Patent No.

5,895,501 (Smith). In light of the foregoing amendments and following remarks, Applicant

respectfully requests the Examiner's reconsideration and reexamination of all pending claims.

As noted, independent Claim 28 was rejected under 35 U.S.C. §102 as being anticipated

by Shu. Applicant has amended independent Claim 28 so that it now recites that the "plurality of

data elements are stored in non-contiguous locations in the memory." The sections of Shu cited

against independent Claim 28, do not teach or fairly suggest this added limitation, either alone or

in combination with the remaining limitations of independent Claim 28. Indeed, a word search

of "contiguous" in Shu indicates that this term is not employed. Moreover, the term "stride" is

not employed within Shu based upon a word search thereof. As such, Applicant asserts that

independent Claim 28, as amended herein, is patentably distinguishable over the cited sections of

Shu.

Independent Claims 33 and 39 were rejected under 35 U.S.C. §102 as being anticipated

by Getzlaff. Each of these independent claims is amended to include limitations similar to the

limitations added to independent Claim 28. Specifically, each of these independent claims now

recite that "the data elements are stored in non-contiguous locations in the memory." Figure 1 of

Getzlaff would imply that operand "bytes," which Applicant presumes is equated with the

claimed data elements in the Office Action, are contained in contiguous memory locations.

At the very least, page 409, lines 18-24 of Getzlaff does not teach or fairly suggest that the bytes of an operand to be transferred, are stored in non-contiguous locations of Getzlaff's cache. As such, Applicant asserts that independent Claims 33 and 39, as amended herein, are patentably distinguishable over the cited sections of Getzlaff.

The remaining claims depend directly or indirectly from independent Claims 28, 33 and 39 and are patentably distinguishable for this reason.

CONCLUSION

Applicants submit that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

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